



Practitioner's Docket No. MBIO1998-061CP1CN1(M)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MBIO1998-061CP1CN1(M)

Application No.: 09/934,289

Filed: August 21, 2001

For: NOVEL MOLECULES OF THE HERPES VIRUS-ENTRY-MEDIATOR-RELATED PROTEIN FAMILY AND USES THEREOF

Inventors: Samantha J. Busfield

Group No.:

Examiner:

Box Sequence

Assistant Commissioner for Patents

Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Sequence, Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

February 28, 2002

Date of Signature and of Mail Deposit

By:

Sean Hunziker  
Sean Hunziker

1. This replies to the Notice to File Corrected Application Papers dated October 22, 2001.

A copy of the Notice to File Corrected Application Papers and a copy of the Raw Sequence Listing Error Report are enclosed.

IDENTIFICATION OF PERSON MAKING STATEMENT

2. I, Jean M. Silveri state the following:

03/14/2002 SZEWDIE1 00000101 501668 09934289

01 FC:117 920.00 CH

ITEMS BEING SUBMITTED

3. Submitted herewith are:

A. "Sequence Listing(s)" for the nucleotide and/or amino acid sequence(s) in this application. Each "Sequence Listing" is assigned a separate identifier as required in 37 C.F.R. Section 1.821(c) and 37 C.F.R. Sections 1.822 and 1.823.

B. A copy of each "Sequence Listing" submitted for this application in computer readable form, in

(Submission-Nucleotide and/or Amino Acid Sequence--page 1 of 3)

accordance with the requirements of 37 C.F.R. Sections 1.821(e) and 1.824.

- C. A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. Section 1.821(g).
- D. Because this submission is made in fulfilling the requirement under 37 C.F.R. Section 1.821(g), a statement that the submission includes no new matter.
- E. Corrected Drawings (Informal (Figures 1-10) (13 pages)) as required in the Notice to File Corrected Application Papers.

**STATEMENT THAT "SEQUENCE LISTING"  
AND COMPUTER READABLE COPY ARE THE SAME  
AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

4. I hereby state:

- A. Each computer readable form submitted in this application, including those forms requested to be transferred from applicant's other application, is the same as the "Sequence Listing" to which it is indicated to relate.
- B. All papers accompanying this submission, or for which a request for transfer from applicants' other application, introduce no new matter.

**STATUS**

5. Applicant is other than a small entity.

**EXTENSION OF TERM**

6. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

(a) Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input checked="" type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$1,440.00	\$ 720.00

**Fee \$ 920.00**

If an additional extension of time is required, please consider this a petition therefor.

**FEE PAYMENT**

7. Charge Account No. 501668 the sum of \$ 920.00. A duplicate of this transmittal is attached.

**FEE DEFICIENCY**

8. If any additional extension and/or fee is required, charge Account No. 501668.

MILLENNIUM PHARMACEUTICALS, INC.



SIGNATURE OF PRACTITIONER

Jean M. Silveri  
Reg. No. 39,030  
75 Sidney Street  
Cambridge, MA 02139  
Tel. No.: (617) 679-7336  
Facsimile: (617) 551-8820

**COPY**

 UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/934,289	08/21/2001	Samantha J. Busfield	MBIO1998-061CP1CN1(M)

**CONFIRMATION NO. 9334****FORMALITIES LETTER**

\*OC000000006952073\*

 Millennium Pharmaceuticals, Inc.  
 75 Sidney Street  
 Cambridge, MA 02139

Date Mailed: 10/22/2001

**NOTICE TO FILE CORRECTED APPLICATION PAPERS*****Filing Date Granted***

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE